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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,518	12/15/2005	Christian Danz	10191/3931	1880

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EXAMINER	
HOFSASS, JEFFERY A	
ART UNIT	**PAPER NUMBER**
2612	

NOTIFICATION DATE	DELIVERY MODE
10/11/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@kenyon.com

Office Action Summary	Application No.	Applicant(s)	
	10/538,518	DANZ ET AL.	
	Examiner	Art Unit	
	Jeffery Hofsass	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 8,9,11,13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,950,035) further in view of Gotzig et al (3,906,640).

With respect to claim 8, CPU 21 and monitor 17 of Tanaka et al clearly provide teachings for the memory and output unit, respectively. It can be inferred that the camera 11 of Tanaka et al provides measuring information as the driver pass the spot as claimed. In any event, Gotzig et al teaches providing parking information to the driver when he "passes" the parking spot. It would have been obvious to modify Tanaka et al so that the image occurs as the driver "passes" by the parking spot so that the best information of whether the car would fit into the space would have been collected.

Tanaka et al teaches monitor 17 (claim 9), CPU 21 (claim 11), circuits 22, 23 and monitor 17 (claim 13). The combination clearly teaches claim 14 for the reasons advanced in the discussion of claim 8.

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,950,035) further in view of Gotzig et al (3,906,640) as applied to claim 8 above, and further in view of Curbow et al (6,694,259).

Claim 10 requires a display of multiple spaces. This is well known as advanced by Curbow et al, see figure 5. Obviously, it would be beneficial for a driver to have multiple parking choices, just as it is beneficial when ordering something online to see

all of the options, sizes, and prices available. Our society always wants multiple choices. The combination of Curbow et al with Tanaka et al and Gotzig et al provides that essential service and therefore would have been obvious.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,950,035) further in view of Gotzig et al (3,906,640) as applied to claim 8 above, and further in view of Betzitza et al (6,265,968).

5. Claim 12 recites the predefined speed limitation. Betzitza et al teaches the equivalent on col. 5, lines 50-55. It makes obvious sense to activate a parking aid when the speed is low since that clearly would be the time when the driver is looking for a parking space, and for that reason, it would have been obvious to include a speed threshold device in the combination of Tanaka et al and Gotzig et al.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takagi et al ('423), Muraki ('250), Clapper ('624), Obradovich ('476), and Dutta et al ('520) show the state of the art.

7. The art cited in the PCT search report was considered.

8. Any inquiry concerning this communication should be directed to Jeffery Hofsass at telephone number 571-272-2981.

JEFFERY HOFSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600